



August 1, 2024

VIA ECF

The Honorable Nicholas G. Garaufis
United States District Judge
U.S. District Court for the Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Chang, Case No. 18-CR-681

Dear Judge Garaufis:

We write on behalf of Manuel Chang to: (1) respectfully request that an omitted portion of the government's designation be read with the government's cross-examination so as not to change the meaning of the original testimony; (2) request that some limited additional testimony be included in the government's cross-designation on discussion of an exhibit for the sake of completeness and so as not to distort the testimony; and (3) counter-designate certain limited portions of Mr. Boustani's testimony for re-direct that directly relate to the government's cross, given the Court's order admitting the government's designations. We believe recitation of this designated testimony will take less than 15 minutes and is necessary for a complete record.

First, In response to the government designating 4643:22-4644:13, Mr. Chang requests that the full range, including the interruption of the Court at 4644:3-7, be read with the government's introduction of this testimony because excluding it changes the meaning of the testimony. The government has omitted a portion of testimony that clarifies that Mr. Boustani was speaking in response to a question about payments made to Thyse International (not Minister Chang), but interrupted as the question was being answered. The government's proposed designation and omission is as follows:

22 Q As we saw on Government's Exhibit 2758 Privinvest paid
23 Chang approximately \$7 million, right?

24 A No. I think, sir, there was again a budget, but I'm not
25 sure how much Privinvest paid Mr. Chang.

Rivka Teich CSR, RPR, RMR, FCRR
Official Court Reporter

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BOUSTANI - CROSS - MR. BINI

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1 Q Well, you saw the 5 million --

2 A Yes, yes.

3 Q -- corporation?

4 THE COURT: You have to let him finish the question
5 before you jump in with the answer.

6 Put the question again, pause, then answer.

7 A I apologize.

8 Q You saw that approximately 5 million was paid by
9 Privinvest to Thyse Corporation, right?

10 A You're correct, sir.

11 Q In fact, you sent those e-mails to Naji Allam so he would
12 effect those transfers.

13 A Correct, sir.

The full record makes clear that the question was restated in full, and then he answered. The government seeks to introduce the answer to the incomplete question and to omit the portion of the record that makes clear that Mr. Boustani was speaking over the lawyer and answered an incomplete, different question than what appears in the record. It also omits the portion making clear that the second question is merely a restatement of the full question he was answering. Omitting the interruption makes the testimony misleading.

Second, in response to the government designating Tr. 4627:4-4628:6, which discusses GX-2758, Mr. Chang believes that this discussion, should start several lines earlier and include Tr. 4623:16-4625:1 for completeness because that testimony gives context to Mr. Boustani's discussion of this exhibit.

Third, Minister Chang respectfully requests that the Court permit redirect with the following limited designations in direct response to the government's cross designations. This designated testimony is only approximately 14 pages and is necessary to respond to what the government has now raised on its cross.

In response to government designation at Tr. 4579:15-4582:23 addressing various nicknames, including Mr. Boustani's nickname as "croco," Mr. Chang designates, 4539:23-4540:8. The proposed redirect explains that the nickname "croco" is for an important, different reason than the derogatory reason Mr. Pearse testified was the reason for the "croco" nickname.

In response to the government designation of Tr. 4606:11, 4607:1-11, and 4625:7-11, all dealing with payments related to Mozambican officials, Armando Guebueza, Jr., and Antonio do Rosario, Mr. Chang designates Tr. 4492:11-4493:15, 4623:16-4625:1, Tr. 4496:5-4497:14, and 4395:17-4397:21 in which Mr. Boustani provides an explanation for those payments/investments.

We have included with this letter our proposed counter designations with all appropriate redactions made. We are ready to proceed with this presentation immediately.

Respectfully submitted,

/s/ Adam C. Ford

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Cc: All Counsel of Record (via ECF)